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October 10, 2008

VIA FACSIMILE AND ELECTRONIC FILING

Honorable Peter G. Sheridan, U.S.D.J.
United States District Court, District of New Jersey
Martin Luther King, Jr. Federal Building & Courthouse
Courtroom 4A
50 Walnut Street
Newark, NJ 07102

Re: Jamy Enterprises, LLC v. E&S Food Service Corp.
Civil Action No. 06-5667 (PGS)

*Do not release
hearing to be held on 10/29/08 at 2:30.
Peter M. Hinder
10/10/08*

Dear Judge Sheridan:

This firm represents Plaintiff and Third Party Defendants in connection with the above referenced matter. We are in receipt of a Notice of Electronic Filing in which Your Honor has scheduled a hearing on the parties cross-motions for summary judgment and settlement conference on Wednesday, October 15, 2008 at 10:00 a.m. We write to request that the hearing and settlement conference be adjourned due to the fact that we have a previously scheduled settlement conference before the Honorable Frank M. Ciuffani, P.J.Ch., in a matter pending in the Superior Court of New Jersey, Middlesex County, captioned *New Cingular Wireless PCS, LLC v. Cambria Automotive Companies, et al.*, docket no. MDX-C-222-08, and are therefore unavailable.

We have conferred with our adversary, Gina M. Fortunato, Esq., and she consents to this adjournment request. Please be advised that counsel for the parties are available on October 20, 2008 to reschedule the hearing and conference. In the event that date is not convenient for the Court, the final pretrial scheduling conference is currently scheduled before the Honorable Esther Salas, U.S.M.J., in this matter on Monday, October 27 at 4:30 p.m., and we are therefore available in the afternoon prior to that conference for a hearing and conference with Your Honor. If neither of these dates are acceptable to the Court, please have Your Honor's clerk let us know, and we can work with chambers and counsel to reschedule the matter.

 DAY PITNEY LLP

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Kindly have Your Honor's clerk advise whether the hearing and conference has been adjourned and, if so, the new date and time. Thank you for Your Honor's consideration of this request.

Respectfully yours,



CHRISTOPHER JOHN STRACCO

CJS/jgc

cc: Gina M. Fortunato, Esq. (via facsimile and electronic filing)